

THIERMAN BUCK LLP

7287 Lakeside Drive

Reno, NV 89511

(775) 284-1500 Fax (775) 703-5027
Email info@thiermanbuck.com www.thiermanbuck.com

1 THIERMAN BUCK LLP
2 Mark R. Thierman, Nev. Bar No. 8285
3 mark@thiermanbuck.com
4 Joshua D. Buck, Nev. Bar No. 12187
josh@thiermanbuck.com
5 Leah L. Jones, Nev. Bar No. 13161
leah@thiermanbuck.com
6 7287 Lakeside Drive
Reno, Nevada 89511
Tel. (775) 284-1500
Fax. (775) 703-5027

7 *Attorneys for Plaintiffs*

1 WILSON ELSER MOSKOWITZ EDELMAN &
DICKER LLP
2 Richard I. Dreitzer, NV Bar No. 6626
3 David S. Kahn, NV Bar No. 7038
4 300 South 4th Street - 11th Floor
Las Vegas, NV 89101-6014

5 Adam Paul Laxalt, NV Bar No. 12426
6 Steven G. Shevorski, NV Bar No. 8256
7 Theresa Haar, NV Bar No. 12158
8 Attorney General State of Nevada
5420 Kietzke Lane, Suite 202
9 Reno, NV 89511

10 *Attorneys for Defendant The State of Nevada, ex
rel. its Department of Corrections*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 DONALD WALDEN JR, NATHAN
14 ECHEVERRIA, AARON DICUS, BRENT
EVERIST, TRAVIS ZUFELT, TIMOTHY
15 RIDENOUR, and DANIEL TRACY on behalf
16 of themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 THE STATE OF NEVADA, *EX REL.* ITS
20 NEVADA DEPARTMENT OF
CORRECTIONS, and DOES 1-50,

21 Defendants.

22 Case No.: 3:14-cv-00320-MMD-WGC

23 **STIPULATION FOR EXTENSION OF
TIME TO FILE PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION
PURSUANT TO FRCP 23 AND
DEFENDANTS' MOTION TO
DECERTIFY FLSA COLLECTIVE
ACTION**

24 **(First Request)**

25 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs, Donald
26 Walden Jr., Nathan Echeverria, Aaron Dicus, Brent Everist, Travis Zufelt, Timothy Ridenour,
27 and Daniel Tracy, on behalf of themselves and all others allegedly similarly situated
28 ("Plaintiffs"), by and through their counsel of record, and Defendant State of Nevada, *ex rel.* its

1 Department of Corrections (“NDOC”), by and through its counsel of record, that the time in
2 which the Parties shall have to file Fed. R. Civ. P. 23 and FLSA decertification motions shall be
3 extended past the current deadline of Friday, December 22, 2017 (ECF No. 121) as follows:

4 1) Plaintiffs’ Motion for FRCP 23 Class Certification shall be filed on or before,
5 Wednesday, January 31, 2018. Defendants’ Opposition to FRCP 23 Class Certification shall be
6 filed on or before, Wednesday February 28, 2018. Plaintiffs’ Reply in support of Plaintiffs’
7 FRCP 23 Class Certification shall be filed on or before Wednesday, March 21, 2018.

8 2) Defendants’ Motion to Decertify FLSA Collective action shall be filed on or
9 before, Wednesday, January 31, 2018. Plaintiffs’ Opposition to Decertify shall be filed on or
10 before, Wednesday February 28, 2018. Defendants’ Reply in support of Defendants’ Motion to
11 decertify shall be filed on or before Wednesday, March 21, 2018.

12 The case involves class certification, decertification of a previously certified collective
13 action, and complex legal arguments. The Parties have engaged in discovery to create a detailed
14 factual record. The Parties request the additional time in light of the recently completed expert
15 depositions, the extensive discovery in the form of multiple site inspections, voluminous
16 disclosures and written discovery, depositions of five (5) PMKs, seven (7) named Plaintiffs,
17 twenty-five (25) opt-ins Plaintiffs, and in order to allow for previously planned counsel and staff
18 vacations scheduled to take place over the end of the year holidays.

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1 Counsel certifies that this request is made in good faith and not for the purposes of delay.
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3 Dated this 12th day of December 2017.

4 THIERMAN BUCK LLP

5 /s/ Leah L. Jones

6 Mark R. Thierman, NV Bar No. 8285
7 Joshua D. Buck, NV Bar No. 12187
8 Leah L. Jones, NV Bar No. 13161
9 7287 Lakeside Drive
Reno, Nevada 89511
10 Attorneys for Plaintiffs

Dated this 12th day of December 2017

WILSON ELSER MOSKOWITZ EDELMAN
& DICKER LLP

/s/ Richard I. Dreitzer

Richard I. Dreitzer
Nevada Bar No. 6626
David S. Kahn
Nevada Bar No. 7038
300 South Fourth Street, 11th Floor
Las Vegas, NV 89101
11 Attorneys for Defendant State of Nevada,
ex rel. its Department of Corrections

12 **ORDER**

13 IT IS SO ORDERED.

14 DATED this 12th day of December 2017.



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18 UNITED STATES DISTRICT JUDGE
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